IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 7599 OF 2007

Harilal Bhila Asmar .... Petitioner

versus

Supadu Bala Jadhav & ors..... Respondent.

Mr. M.M. Sathaye for the petitioner.

CORAM; A.P. DESHPANDE, J.
DATED; 19TH OCTOBER, 2007

P.C.;

1. In the suit filed by the plaintiff, having regard to the pleadings of the parties, the trial court has already framed issues on 1-4-2006 and the suit is ready for evidence. The defendant no.1 moved an application for trial of one of the issues which touches the jurisdiction as a preliminary issue. The trial court has rejected the said application by observing that all the issues are required to be decided together.

2. Perused the order. At this stage, no interference with the impugned order is called for as the matter has already reached the stage of evidence. By not interfering with the impugned order, no prejudice will be caused to the petitioner. Hence petition is

summarily dismissed. Needless to mention that all contentions raised in this petition are left open to be agitated at apporopriate stage before appropriate forum.

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